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H I P A A L E R T - lite -- November 18, 2002

>>From Phoenix Health Systems--HIPAA Knowledge--HIPAA Solutions<<
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In this issue:

HIPAAnews --

- * CMS: FINAL SECURITY & TCS ADDENDA EXPECTED DEC. 27
- * Weak Response to Deadline Spells HIPAA Trouble
- * Medical Privacy Bills Seek to Restore Patient Consent

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H I P A A n e w s

*** CMS: FINAL SECURITY & TCS ADDENDA EXPECTED DEC. 27 ***

Speaking at the e-Pennsylvania Alliance Summit on November 7, Stanley Nachimson, CMS Senior Technical Advisor, said the expected date of publication in the Federal Register for the final HIPAA Security Rule and the final Rule on the Addendum to the HIPAA Transactions and Code Sets will be December 27, 2002. Also, the final national Provider Identifier is expected in early 2003 and the proposed Health Plan (Payer) Identifier is expected in early Spring 2003.

Keep up-to-date on the HIPAA regs with our Compliance Calendar:
<http://www.hipaadvisory.com/regs/compliancecal.htm>

*** Weak Response to Deadline Spells HIPAA Trouble ***

CMS officials say that the more than 1 million covered entities which missed the October 15 deadline to apply for the ASCA extension will not be actively pursued and may not have to pay fines at first. Fines for noncompliance can be as high as \$100 per offense, with a maximum of \$25,000 per year, but CMS has said enforcement will be complaint driven. CMS' HIPAA FAQ states that a covered entity that did not submit an extension request should be prepared to submit a corrective action plan in the event a complaint is filed against them. The American Medical Association (AMA) is urging all physicians who didn't file for the extension to become compliant as soon as possible.

Read more: <http://www.hipaadvisory.com/news/index.cfm#1111mp>

*** Medical Privacy Bills Seek to Restore Patient Consent ***

House Democrats introduced two bills last month to restore patient consent provisions in the HIPAA Privacy Rule. The Stop Taking Our Health Privacy Act (STOHP), HR 5646, would also require health providers to notify consumers when they receive payment from drug companies to send unsolicited marketing material and limit how FDA-regulated companies could use or disclose personal medical information. The bill was introduced by Reps. Ed Markey (D-MA), John Dingell (D-MI), Henry Waxman (D-CA), Howard Berman (D-CA) and Michael Capuano (D-MA).

The Health Records Confidentiality Bill introduced by Sen. Bill Nelson (D-FL) seeks to prohibit the use of patient databases for marketing without the express consent of the patient. The bill entitled, "Health Records Confidentiality Act of 2002" (S 3064), was read twice and referred to the Senate Health, Education, Labor, and Pensions (HELP) Committee currently headed by Sen. Edward Kennedy (D-MA).

With the return of a Republican majority in the Senate, Judd Gregg of (R-NH) will take over from Kennedy as the HELP Committee Chairman. The New York Times reports "the new lineup would considerably alter the approach of the various panels."

Read the text of the Stop Taking Our Health Privacy Act:
<http://www.hipaadvisory.com/news/2002/hr5646.pdf>

Read the text of the Health Records Confidentiality Act:
<http://www.hipaadvisory.com/news/2002/s3064.pdf>

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NEW IN HIPAAAction > Compliance > Specific Groups:

* Athletic Trainers: How will the HIPAA final Privacy Rule

impact you as an athletic trainer?

<http://www.hipaadvisory.com/action/compliance/specific.htm#ath>

* Employee Health Benefit Plans: The Forgotten Covered Entity
<http://www.hipaadvisory.com/action/compliance/specific.htm#ehp>

* Pharmacies: HIPAA: Final Countdown?
<http://www.hipaadvisory.com/action/compliance/specific.htm#nacds>

* What HIPAA Means to Hospitals
<http://www.hipaadvisory.com/action/compliance/specific.htm#hosphl>

* What HIPAA Means to Health Plans
<http://www.hipaadvisory.com/action/compliance/specific.htm#planshl>

* What HIPAA Means for Physicians
<http://www.hipaadvisory.com/action/compliance/specific.htm#drhl>

NEW IN HIPAAtech:

* Hospital Uses Patient Key Tags to Access Medical Information:
<http://www.hipaadvisory.com/tech/index.htm#102802ihb>

NEW IN HIPAAviews:

* Paperwork Causes Physician to Close Door
<http://www.hipaadvisory.com/views/provider/index.htm#111801kns>

Privacy > Pro Sports:

* "Tank McNamara" comic strip looks at HIPAA's effect on
sideline reporting
<http://www.hipaadvisory.com/views/privacy/prosports.htm#tank>

* Privacy Law Could Kill Off College Football Injury Reports
<http://www.hipaadvisory.com/views/privacy/prosports.htm#ot>

* UM Taking Stand on Patient Privacy
<http://www.hipaadvisory.com/views/privacy/prosports.htm#espn>

NEW IN HIPAAzine:

* How to Meet Tomorrow's Privacy Rules Today
<http://www.hipaadvisory.com/news/HIPAAzine.htm#1101cio>

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Our Other HIPAA resources:

HIPAAAdvisory web site: <http://www.hipaadvisory.com>

HIPAAnotes Weekly Byte of HIPAA: <http://www.hipaadvisory.com/notes/>

HIPAAlive Discussion List: <http://www.hipaadvisory.com/live/>

HIPAAlive-Premium: <http://www.hipaadvisory.com/live/prem.htm>

HIPAAlive Doc Site: <http://www.hipaadvisory.com/MembersOnlySignup/>

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